

**MISCELLANEOUS DOCKET
UNITED STATES DISTRICT COURT**

DOCKET
NO.

M-1335-B

| TITLE OF CASE | | ATTORNEYS | | | |
|---|--|--|------------------------|----------|------------------------------------|
| <p>LILA L. McCALL, DANIEL DANE, and T. G. ANDERSON</p> <p>VS</p> <p>D. L. McDANIEL, H. CATHERINE McDANIEL, RED CLOUD MINING AND MILLING CORPORATION, an Arizona corporation; YUMA METALS, INC., an Arizona corporation; RED CLOUD MILLS, LTD., an Arizona limited partnership; and NEVADA NATURAL, INC., a Nevada corporation</p> | | <p>For plaintiff: Terry W. Tippens Dino E. Viera FELLERS, SNIDER, BLANKENSHIP, BAILEY & TIPPENS 2400 First National Ctr. Oklahoma City, OK 73102 (405) 232-0621</p> <p>Grant E. Cheadle FREESE & MARCH 4510 E. 31st Street Tulsa, OK 74135 (918) 749-9331 For defendant: Allen Mitchell P. O. Box 190 Sapulpa, OK 74067 (918) 224-5750</p> | | | |
| MEMORANDA | | DATE | NAME OR RECEIPT NO. | RECEIVED | DISBURSED |
| | | | | | |
| DATE | PROCEEDINGS | | | | Date Order or Judgment Noted |
| 2-18-87 | <p>CERTIFICATION of judgment for registration in another Dist, that judgment is entered in favor of pltfs against defts as follows: \$471,084.50 to Lila McCall against defts D.L. McDaniel, H. Catherine McDaniel, Red Cloud Mining & Milling Corp, Yuma Metals, Inc. & Nevada Natural, Inc.; \$205,148.76 to Daniel Dane from same defts: above damages are to be trebled; atty fees for pltfs in amt. of \$84,363.50 against same defts, plus costs. (William P. Copple-J)hm</p> | | | | |

| DATE 1987 | PROCEEDINGS | Date Order or Judgment Noted |
|--------------|--|------------------------------------|
| 2-18 | APPLICATION by pltfs for order requiring jmn't debtors to appear & ans. concern property and assests and for injunction forbidding trans. or other disposition of property. jc(O) | |
| 2-20 | ORDER for defts to appear & ans. as to assets & injunction forbidding trans. or other disposition of property, Hrg set 3-18-87 before MAG at 9:00 A.M. (TRB-J) jc(c/pltf & copy picked up by process server) | |
| 2-18 | APPLICATION by pltf for Ct. to issue a warrant to arrest the jmn't debtors & injunction forbidding jmn't debtors from leaving state. (O) <i>jc in file premature until fault appears at 3-18-87 hrg</i> | |
| 3-2 | GARNISHMENT AFFIDAVIT. S/I nm | |
| 3-6 | GARNISHMENT AFFIDAVIT of atty Dino E. Viera re: Boyd Roseene & Associates Inc. nm | |
| 3-6 | GARNISHMENT AFFIDAVIT of atty Dino E. Viera re: Oklahoma Gas & Electric Co. nm | |
| 3-6 | GARNISHMENT AFFIDAVIT of atty Dino E. Viera re: Koch Industries, Inc. nm | |
| 3-6 | GARNISHMENT AFFIDAVIT of atty Dino E. Viera re: Pride Pipeline Co. nm | |
| 3-6 | GARNISHMENT AFFIDAVIT of atty Dino E. Viera re: Texaco Trading & Transportation Co. nm | |
| 3-6 | GARNISHMENT AFFIDAVIT of atty Dino E. Viera re: Sun Oil Company. nm | |
| 3-6 | GARNISHEE SUMMONS serving United Bank, Head Cashier, Lea Young on 3-5-87. nm | |
| 3-11 | GARNISHEE'S ANSWER of United Bank in amt of \$3,583.50. nm | |
| 3-13 | GARNISHMENT affiavit of Oil Exploration of America, Inc. in the amount of \$2,028,699.70. ag s/i | |
| 3-13 | RETURN of service for garnishee summons served Sun Oil Co. 3-5-87, Pride Pipeline Co. 3-5-87, Texaco trading & Transportation co. 3-5-87, Koch Industries, Inc. 3-5-87. - Boyd Roseene & Associates, Inc., 3-6-87, Okla. Gas & Electric 3-7-87 by cert mail. ag | |
| 3-13 | GARNISHEE'S ANS. Okla. Gas & Electric Co, garnishee was then & upon no account indebted or under liability to the defts. ag | |
| 3-16 | GARNISHEE'S ANSWER of Sun Refining and Marketing Company. nm | |
| 3-16 | GARNISHEE'S ANSWER of Pride Pipeline Limited Partnership. nm | |
| 3-16 | GARNISHEE'S ANSWER of Koch Oil Company. nm | |
| 3-17 | GARNISHEE'S ANSWER of Kerr-McGee Corp. ag | |
| 3-17 | GARNISHEE'S ANSWER of President of Boyd Rosene & Assoc., Inc. ag | |
| 3-18 | ASSETS HRG before Mag. Deft did not appear. Body attachment to be issued upon proof of service. (JLW-MAG) r | |

| DATE | PROCEEDINGS | Date Order or Judgment Noted |
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| 1987 3-19 | GARNISHEE'S ANSWER of Texaco Trading & Transportation Inc. nm | |
| 3-24 | WRIT of execution issued to Lila L. McCall, Daniel Dane & T. G. Anderson on 3-24-87. nm | |
| 3-24 | SPECIAL writ of execution issued on 3-24-87. nm | |
| 3-24 | MOTION of pltfs to release garnishment funds. (OtoJ) nm | |
| 3-30 | GARNISHEE'S ANSWER of Oil Exporation of America, Inc. nm | |
| 3-30 | SUPPLEMENTAL ANSWER of Pride Pipeline Company to garnishee's original answer. nm | |
| 3-31 | SPECIAL WRIT of execution issued. nm | |
| 4-3 | GARNISHMENT AFFIDAVIT of atty Dino E. Viera re: Pride Pipeline. nm | |
| 4-3 | GARNISHMENT AFFIDAVIT of atty Dino E. Viera re: Koch Oil Company. nm | |
| 4-3 | GARNISHMENT AFFIDAVIT of atty Dino E. Viera re: Oklahoma Gas & Electric Co. nm | |
| 4-3 | GARNISHMENT AFFIDAVIT of atty Dino E. Viera re: Sun Refining & Marketing Co. nm | |
| 4-3 | GARNISHMENT AFFIDAVIT of atty Dino E. Viera re: Boyd Rosene & Assoc. Inc. nm | |
| 4-3 | GARNISHMENT AFFIDAVIT of atty Dino E. Viera re: Texaco Trading & Transportation Co. nm | |
| 4-3 | GARNISHMENT AFFIDAVIT of atty Dino E. Viera re: Kerr-McGee Corp. nm | |
| 4-7 | RETURN on service; served Nevada Natural Inc. D. L. McDaniel on 3-6-87 and H. Catherine McDaniel on 3-6-87. nm | |
| 4-8 | SPECIAL WRIT of execution issued. nm | |
| 4-9 | RETURN on special writ of execution; served real estate, house & barn located at Rt. 6, Box 148, SAnd Springs, Oklahoma, (see return for further comments). (Fees: \$5.88) nm | |
| 4-10 | BODY ATTACHMENT issued. nm (D. L. McDaniel) | |
| 4-13 | GARNISHEE'S ANSWER of Koch Oil Company. nm | |
| 4-13 | BODY ATTACHMENT issued on H. Catherine McDaniel.k (to Viera) | |
| 4-15 | GARNISHEE'S ANSWER of Oklahoma Gas & Electric Co. nm | |
| 4-15 | ANSWER of garnishee Boyd Resene & Assoc. t | |
| 4-16 | ORDER ENTERED that funds paid to court clk by Garnishee United Bank in amt of \$3,583.50 be disbursed by court clk. to pltfs. (TRB-J) c/m c/pltf nm EOD: 4-17-87 | |
| 4-17 | GARNISHEE'S ANSWER of Kerr-McGee Corporation. nm | |

| DATE | PROCEEDINGS | Date Order or Judgment Noted |
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| 1987 | | |
| 4-23 | GARNISHEE'S ANSWER of Texaco Trading & Transportation Inc. nm | |
| 4-23 | MOTION of pltfs to declare transaction void & to levy execution on assets transferred & brief in support thereof. nm | |
| 4-30 | ORDER of sale issued. nm | |
| 4-30 | GARNISHMENT AFFIDAVIT of Dino E. Viera of Harvard Bank in amt of \$2,028,699.70. nm | |
| 4-30 <i>mj</i> | ASSET HEARING held before Mag. Deft appears on b.a., deft counsel present, as to Mr. McDaniel, hold is placed on b.a., as to Mrs. McDaniel, serv is good, recognized back 7-22-87 at 9:00A.M. jm | |
| 5-4 | RETURN on garnishee summons; served Harvard Bank on 5-1-87. nm | |
| 5-5 | GARNISHEE'S answer of Sun Refining & Marketing Co. nm | |
| 5-6 | GARNISHEE'S ANSWER of Harvard Bank. nm | |
| 5-8 | MARSHAL SERVICE return; served H. Catherine McDaniel on 4-30-87 RE: BODY ATTACHMENT (fee: \$6.07) nm | |
| 5-14 | MEMORANDUM of law of Dino E. Viera. nm | |
| 5-14 | MOTION of deft for order requiring delivery of property to US Marshal. (Oto ^{mag}) nm (w/brief in support attached) | |
| 5-27 | MOTION by pltfs to declare transaction void, etc. referred to MAG.jc (c/MAG w/cpy pleading) | |
| 5-27 MO | HEARING SET BEFORE THE MAG on Motion of pltf to declare trans void and to levy execution on assets transf on 6-23-87 at 10:30am. (JLW_MAG) jm ntc/mld | |
| 6-3 | ORDER granting that pltfs & their attys shall forthwith deliver to US Marshal for ID of OK two earrings & bracelet which were taken from deft at hearing on assets before this court 4-30-87 & US Marshall shall give receipt to pltf & their attys. (JLW-MAG) c/m nm | |
| 6-3 | ORDER denying application of defts to set aside body attachment insofar as it asserts that the method of service was improper & taken under advisement in connection with the factual issues raised by Ms. McDaniel's affidavit. (JLW-MAG) c/m nm <i>LC/KSM</i> | |
| 6-5 | NOTICE of defts of filing bankruptcies. nm | |
| 6-10 MO | HEARING SET BEFORE Mag on B.A. set on 6-15-87 at 1:00pm. (JLW-MAG) jm ntc/mld | |
| 6-12 | BRIEF of defts concerning service of order. nm | |

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| 1987 6-15 | HEARING HELD on body attachment. Any further proceedings in aid of execution are stayed by virtue of bankruptcy. Should the bankruptcy stay be lifted, additional service will be required for any further proceedings in aid of execution. (Wagner-MAG) r | |
| 6-18 | RESPONSE of pltf to order of 6-3-87. nm | |
| 6-29 | HEARING SET before the Mag 6-29-87 stricken because of bankruptcy proceedings. (Wagner-MAG) r | |
| 8-17 | RETURN on U.S. Marshal's service re: body attachment of D. L. McDaniel UNEXECUTED on 8-17-87 (fee: 3.00) nm | |

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